

CITY OF CLAYTON BOARD OF ALDERMEN

TUESDAY, APRIL 4, 2017

NO DISCUSSION SESSION

**CITY OF CLAYTON BOARD OF ALDERMEN AGENDA
TUESDAY, APRIL 4, 2017 – 7:00 P.M.
CLAYTON CITY HALL - COUNCIL CHAMBERS
10 N. BEMISTON AVENUE**

ROLL CALL

MINUTES – March 28, 2016

PUBLIC REQUESTS & PETITIONS

REPORT FROM THE CITY MANAGER

1. Ordinance – To approve a contract with N.B. West Contracting for the FY2017 Resurfacing Project. (Bill No. 6608)
 - *To consider approving a contract to include the replacement of curb ramps that do not meet ADA requirements, the replacement of substandard curb & gutter, minimal storm sewer installation, base repair, and the removal and replacement of two inches of asphalt surface.*
2. Ordinance – To approve an amendment to Chapter 605 to reaffirm prohibition against short-term rental of residential dwellings. (Bill No. 6609)
 - *To consider approving an amendment to make clear that short-term rental of residential property is not permitted in Clayton.*
3. Resolution – To approve the FY2018 Capital Improvement Plan (CIP). (Res. No. 17-04)
 - *To consider approving the Capital Improvement Plan funded project list as presented to the Board on March 17, 2017.*
4. Resolution – To authorize and direct the execution of corrected ordinances to accurately reflect the intent and action of the Board of Aldermen. (Res. No. 17-05)
 - *To correct scrivener's errors in Ordinance Nos. 6463 and 6464.*

ADJOURNMENT

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

Agenda topics may be added or deleted at any time prior to the Board of Aldermen meeting without further notice. To inquire about the status of agenda topics, call 290.8469. Individuals who require an accommodation (i.e., sign language, interpreter, listening devices, etc.) to participate in the meeting should contact the City Clerk at 290.8469 or Relay Missouri at 1.800.735.2966 (TDD) at least two working days prior to the meeting.

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
March 28, 2017
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger, Rich Lintz, and Ira Berkowitz.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Alderman Boulton moved to approve the March 14, 2017. Alderman Winings seconded.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

Mayor Sanger announced that at the request of the applicant the Planned Unit Development and Rezoning Public Hearing has been postponed.

A PUBLIC HEARING AND A RESOLUTION TO CONSIDER APPROVING A CONDITIONAL USE PERMIT FOR 8321 MARYLAND AVENUE, REGIONS BANK

Mayor Sanger opened the public hearing and requested proof of publication.

City Manager Owens reported that this is a public hearing to consider an application for a Conditional Use Permit submitted by R. Mark Naylor, agent on behalf of Regions Bank, owner, for the installation/operation of a remote drive-through facility on the subject site.

Financial institutions and retail establishments are permitted uses in this zoning district; however, drive-through facilities are conditionally permitted uses and are subject to the design guidelines.

In 2013, a similar project was proposed by 5/3 Bank and was approved; 5/3 Bank never secured permits and sold the property to Regions Bank.

This proposed drive-through facility is part of a larger development that includes a freestanding bank at the southwest quadrant of the site and a freestanding retail building at the southeast quadrant of the site. The drive-through facility is located along the northern portion of the property and will be screened from the residential properties to the north by an 8-foot in height screen wall to be located south of the 5-foot wide utility easement and a 12-foot wide landscaped area that run along the northern property line. The distance between the drive-through facility and the nearest residential structure is 40 feet.

The parking area will be accessible from Crandon and Lancaster Drives. Vehicles will enter the drive-through via a one-way driveway entrance located in the northeast corner of the parking lot and exit the drive-through at the northwest corner. There are two 9-foot wide drive-through lanes and a 12-foot wide bypass lane running parallel to Maryland Avenue. The drive-through is separated from the site's parking and drive aisles by a raised curb and landscaped area.

Proposed hours of operation for the drive-through are the same as normal banking hours; Monday through Thursday, 9:00 a.m. to 4:30 p.m., Friday from 9:00 a.m. to 5:00 p.m. and Saturday, 9:00 a.m. to 12:00 p.m. An ATM will also be located in the drive-through, and will be accessible at all times.

A traffic study was conducted in 2013 for the original 5/3 Bank proposal. A new study was not required for potential traffic impacts of this project due to the similarity between the two proposals. The traffic study analyzed potential traffic impacts of the proposed development of the site (including the bank, drive-through, and retail building). According to the study, existing traffic operations do not appear to be problematic at the intersections in the study area. The proposed access point for the drive-through is located deep in the lot, away from the intersection with Maryland Avenue. Stacking lanes are straight with minimal curves, and provide an escape/bypass lane. According to the study, the traffic impacts associated with the drive-through itself are minimal, and there is adequate stacking distance to prevent cars from backing up on Lancaster Drive.

A noise study was also conducted in 2013 for the original 5/3 Bank proposal to assess the acoustical impact of the proposed drive-through speakers. The drive-through facility for Regions Bank does not include speakers.

Because the drive-through lanes are oriented parallel to Maryland Avenue, vehicular headlights will be directed away from the adjacent residential properties. Lighting on the drive-through structure itself is limited to four LED down lighting fixtures located underneath the drive-through canopy. Five 15-foot in height pole lights are proposed adjacent to the drive-through. All proposed lights are LED with internal shields, channeling the light toward the drive-through and parking areas and not the residential lots to the north.

The Plan Commission, at its March 6, 2017 meeting, considered and approved the site plan associated with this project and voted to approve. At the same meeting, the Plan Commission also considered the request for the Conditional Use Permit and voted unanimously to recommend approval to the Board of Aldermen. The Architectural Review Board considered the architectural aspects of the project and voted unanimously to approve.

City Manager Owens noted a revised draft of the resolution has been provided to the Board noting the corrections as follows: *(4) The drive-through facility will consist of three lanes, one bi-pass lane and two drive-up Automatic Teller Machine (ATM); and (5) The drive-up ATM will be accessible at all times.*

Recommendation is to approve a Conditional Use Permit, as amended, for Regions Bank to allow the installation/operation of a drive-through facility, pursuant to the stipulations and conditions listed in the resolution.

Alderman Winings recused himself from the meeting.

David Sweeney, Lewis Rice Law Firm, addressed the Board introducing Mark Naylor, Roberts Group, Regions Bank, and Chuck Colsey, Stock and Associates.

Mr. Naylor provided a PowerPoint© presentation to the Board.

In response to the Board's questions, Mr. Naylor explained and clarified the screening wall and plantings.

In response to Alderman Boulton's inquiry regarding services for the sight impaired; Mr. Naylor confirmed that there are handheld devices available.

Mayor Sanger asked if there had been any other structure on the lot in its 104 year history.

Alderman Berger relayed his appreciation in their consideration to hold public neighborhood meetings and their responsiveness to citizen's concerns.

In response to Alderman Berkowitz's questions, Mr. Naylor confirmed that the structure is a single story. With regard to the current location at 8100 Maryland, Mr. Naylor stated that he is not aware of any plans for the lobby, but is aware that the bank will maintain office space at that location.

In response to Alderman Garnholz's question with regard to the hours, City Manager Owens explained the terms of the Conditional Use Permit.

In response to Mayor Sanger's question, Mr. Naylor stated that banking services have changed significantly over the years and that the bank will have a few tellers available to help/direct customers with their business and that there will be video "tellers" in the lobby of the bank.

Alderman Boulton added that there is also a special (private) room where the customer can securely access an ATM after hours.

Mayor Sanger closed the public hearing.

Alderman Garnholz moved to approve Resolution No. 17-03, a Conditional Use Permit for 8321 Maryland Avenue (Regions Bank) as amended. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings rejoined the meeting at 7:21 p.m.

AN ORDINANCE TO CONSIDER AUTHORIZING THE CITY TO JOIN THE MISSOURI CLEAN ENERGY DISTRICT AND SHOW ME PACE PURSUANT TO THE PROPERTY ASSESSMENT CLEAN ENERGY ACT

City Manager Owens reported that due to some questions received this item will be removed from Board consideration tonight until a future meeting.

AN ORDINANCE TO CONSIDER APPROVING AN AMENDMENT TO ARTICLE XIII OF CHAPTER 215 OF THE CLAYTON CITY CODE TO INCREASE THE MINIMUM AGE TO ACQUIRE TOBACCO PRODUCTS TO TWENTY-ONE YEARS

City Manager Owens reported that to come into compliance with the Missouri State Statutes revisions, the Board of Aldermen recently approved revisions to Chapter 215, Offenses which included revisions to Article XIII, Offenses Concerning Tobacco.

St. Louis County has enacted new health regulations changing the age for tobacco purchase and possession from 18 to 21 (Ordinance 26,522) while Clayton's Code currently allows tobacco purchase and possession to occur at 18 years of age. Under the direction of the City

Attorney, staff recommends that the Board approve an amendment to bring the age of purchase limitation in line with St. Louis County.

Alderman Berkowitz commented that he would like to see the age at 45 or 60.

Alderman Garnholz introduced Bill No. 6607, an ordinance to approve an amendment to Chapter 205, Article XIII to increase the minimum age to acquire tobacco products to 21 years to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6607, an Ordinance Amending Article XIII of Chapter 215 of the Clayton City Code to Increase the Minimum Age to Acquire Tobacco Products to Twenty-One Years for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6607 on the day of its introduction. Alderman Winings seconded. The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6607, an ordinance to approve an amendment to Chapter 205, Article XIII to increase the minimum age to acquire tobacco products to 21 years to be read for the second time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6607, an Ordinance Amending Article XIII of Chapter 215 of the Clayton City Code to Increase the Minimum Age to Acquire Tobacco Products to Twenty-One Years for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6475 of the City of Clayton.

A MOTION TO APPOINT A MEMBER TO THE PUBLIC ART ADVISORY COMMITTEE (PAAC)

City Manager Owens reported that due to the recent resignation of Ward 1 representative Barbara Eagleton, Ward 1 has nominated Carmon Colangelo as representative to complete Ms. Eagleton's term ending June 30, 2017.

Alderman Winings commented that after reviewing Mr. Colangelo's application and resume he is satisfied with the nomination.

Alderman Boulton added that Mr. Colangelo has a lot of experience with public art as well as several selected art pieces throughout the Washington University campus.

Alderman Garnholz moved to approve the appointment of Carmon Colangelo to the PAAC. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Other

Alderman Boulton reported on the following:

- Plan Commission/ARB – recently approved the GBT Development project with a 4-2 vote.

Alderman Berkowitz reported on the following:

- CCF Major Gifts met and discussed plans for a natural playground at The Family Center; cost is \$300,000; they are anticipating donations from developers; Joe Downs of Opus Group has joined the group reporting that Opus has monies available for the project(s).
- Attended Peter Sortino's funeral services.

Mayor Sanger reported on the following:

- Attended the MML meeting on March 23; Pat Kelly provided the group with a legislative report:
 - The TIF issue is progressing - Constitutional amendment to require countywide public vote before authorizing TIF project.
 - HB608 - Short Term Rental of Residential Property has moved to the House for debate; and attempts to resolve MML concerns about local zoning compliance. The substitute bill does clarify that local zoning regulations must be followed, the bill continues to prohibit a municipality from banning short-term residential rentals or from passing restrictions that have the practical effect of banning short-term rentals.
 - HB935 - St. Louis Zoo sales tax to be voted on in St. Louis City and St. Charles, Jefferson, Franklin and St. Louis Counties.
 - East West Gateway will be accepting grant applications to provide planning assistance through the Great Streets Initiative (biking efforts).
 - St. Louis Regional Freightway, part of the BiState Development group, is a public-private partnership to optimize the region's freight transportation network. The goal is to produce results that strengthen the St. Louis region by increasing job growth and improving the local economy. The cooperative effort will determine how the region manages the movement of freight on the roads, rails, rivers, airports, and pipelines. Public and private partnerships will be developed in order to create the foundation for planning, marketing, and advocacy of the bi-state region as a national freight hub.
 - Next meeting is scheduled on April 27 in Creve Coeur.

Alderman Berkowitz moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Lintz seconded the motion.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye.

There being no further regular business the meeting was adjourned at 7:35 p.m.

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG S. OWENS, CITY MANAGER
DALE L. HOUDESHELL, P.E., DIRECTOR OF PUBLIC WORKS
DATE: APRIL 4, 2017
RE: ORDINANCE - A CONTRACT WITH N.B. WEST CONTRACTING FOR THE FY17 RESURFACING PROJECT

The Public Works Department is requesting approval of a construction contract for the FY17 Resurfacing Project. In 2016/2017, Horner & Shifrin, Inc. completed the design of the project.

This project will include the replacement of curb ramps that do not meet ADA requirements, the replacement of substandard curb & gutter, minimal storm sewer installation, base repair where necessary, and the removal and replacement of two inches of asphalt surface.

Bids were opened on March 23, 2017. The City received three bids as shown on the attached bid tabulation. N.B. West Contracting Company submitted the lowest responsive, responsible base bid in the amount of \$2,248,764.35. The final engineer's estimate for the base bid was \$2,498,660.00. The second lowest bid was from Gershenson Construction at \$2,249,382.40, only 0.2% (\$618.05) higher than N.B. West's.

The project bid package included add alternate bid's for select sidewalk slab repairs (Alt. "A"), Hillcrest private street paving (Alt. "B"), and pavement sealer (Alt. "C"). The purposed of Alt. "B" was only to establish the cost of the work (to assist the Hillcrest subdivision) with no intention of being accepted by the City. Hillcrest subdivision plans to enter into a separate contract, with the selected contractor, to pave their private streets. With the inclusion of Alt. "A" & "C", the bid received by N.B. West Contracting Company is \$2,405,309.00, which is under the final engineer's estimate for this work of \$2,696,304.00. The second lowest bid, from Gershenson Construction, was \$2,447,026.18, only 1.7% higher than N.B. West's.

The Capital Improvement Fund has \$3,540,000 budgeted for this activity in FY 2017.

City Staff recommends approval of the construction contract with N.B. West Contracting Company for the base bid, plus Alt. "A" & "C", for a value of \$2,405,309.00. Additionally, City Staff requests authorization to approve change orders in an amount not to exceed \$250,000.00, which is approximately 10% of the contract value. This contingency would be used to cover expenditures to correct unknown site issues that become apparent during the project.

STAFF RECOMMENDATION: To approve the ordinance authorizing a contract with N.B. West Contracting Company in the amount of \$2,405,309.00, plus a contingency of \$250,000.00 for the FY17 Resurfacing Project.

Bid Tab**Residential Resurfacing FY2017**

BL2017.PW.1401.010

Bid Date: 3/23/2017
Bid Time: 1:00 PM

BASE BID*				Byrne and Jones		Gershenson Construction		NB West Contracting		Engineers Estimate	
Item No.	Description	Unit	Quantity	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1	REMOVE AND REPLACE PCC BASE - 8"	SY	7,175	\$85.04	\$610,162.00	\$65.00	\$466,375.00	\$72.00	\$516,600.00	\$80.00	\$574,000.00
2	BITUMINOUS ASPHALT OVERLAY (2" NOMINAL)	TON	9,966	\$62.91	\$626,961.06	\$62.00	\$617,892.00	\$74.00	\$737,484.00	\$75.00	\$747,450.00
3	BITUMINOUS ASPHALT OVERLAY (3" NOMINAL)	TON	1,816	\$66.28	\$120,364.48	\$65.50	\$118,948.00	\$79.20	\$143,827.20	\$80.00	\$145,280.00
4	BITUMINOUS TACK COAT	GAL	6,120	\$5.02	\$30,722.40	\$2.00	\$12,240.00	\$2.50	\$15,300.00	\$5.00	\$30,600.00
5	VALVE SAFETY RAMP (10")	EACH	32	\$78.33	\$2,506.56	\$10.00	\$320.00	\$10.00	\$320.00	\$90.00	\$2,880.00
6	MANHOLE SAFETY RAMP (26")	EACH	73	\$115.48	\$8,430.04	\$20.00	\$1,460.00	\$10.00	\$730.00	\$120.00	\$8,760.00
7	ADJUST TO GRADE MANHOLE	EACH	6	\$235.99	\$1,415.94	\$500.00	\$3,000.00	\$600.00	\$3,600.00	\$600.00	\$3,600.00
8	ADJUST TO GRADE SINGLE CURB INLET	EACH	3	\$353.33	\$1,059.99	\$500.00	\$1,500.00	\$900.00	\$2,700.00	\$800.00	\$2,400.00
9	ADJUST TO GRADE SINGLE CURB INLET WITH NEW INLET STONE	EACH	1	\$864.74	\$864.74	\$800.00	\$800.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00
10	ADJUST TO GRADE SINGLE CURB INLET WITH NEW INLET STONE (SPECIAL)	EACH	1	\$1,087.90	\$1,087.90	\$1,000.00	\$1,000.00	\$1,600.00	\$1,600.00	\$4,000.00	\$4,000.00
11	REMOVE AND REPLACE CONCRETE CURB AND GUTTER*	LF	2,354	\$57.36	\$135,025.44	\$60.00	\$141,240.00	\$58.00	\$136,532.00	\$60.00	\$141,240.00
12	REMOVE AND REPLACE DRIVEWAY APPROACH PAVEMENT - RESIDENTIAL*	SF	30	\$72.20	\$2,166.00	\$10.00	\$300.00	\$12.00	\$360.00	\$18.00	\$540.00
13	REMOVE AND REPLACE DRIVEWAY APPROACH PAVEMENT - COMMERCIAL*	SF	514	\$18.98	\$9,755.72	\$10.00	\$5,140.00	\$14.00	\$7,196.00	\$20.00	\$10,280.00
14	REMOVE AND REPLACE CONCRETE SIDEWALK (5 IN. THICK)*	SF	13,212	\$14.51	\$191,706.12	\$8.00	\$105,696.00	\$9.00	\$118,908.00	\$11.00	\$145,332.00
15	REMOVE AND REPLACE CONCRETE CURB RAMP (7 IN. THICK)*	SF	5,043	\$19.05	\$96,069.15	\$16.00	\$80,688.00	\$20.00	\$100,860.00	\$20.00	\$100,860.00
16	DETECTABLE WARNING SURFACE	SF	1,511	\$40.17	\$60,696.87	\$36.00	\$54,396.00	\$40.00	\$60,440.00	\$40.00	\$60,440.00
17	REMOVE SIDEWALK AND REPLACE WITH SOD	SF	1,216	\$10.75	\$13,072.00	\$5.00	\$6,080.00	\$5.00	\$6,080.00	\$10.00	\$12,160.00
18	TRAFFIC CONTROL	LUMP SUM	1	\$54,428.43	\$54,428.43	\$90,000.00	\$90,000.00	\$40,000.00	\$40,000.00	\$35,000.00	\$35,000.00
19	MOBILIZATION	LUMP SUM	1	\$24,502.84	\$24,502.84	\$265,000.00	\$265,000.00	\$130,000.00	\$130,000.00	\$150,000.00	\$150,000.00
20	ASPHALT PAVEMENT MILLING (VARIABLE DEPTH CROWN CORRECTION)	SY	106,029	\$3.67	\$389,126.43	\$2.60	\$275,675.40	\$2.10	\$222,660.90	\$3.00	\$318,087.00
21	PAVEMENT MARKING - 4" WHITE STRIPE	LF	59	\$2.51	\$148.09	\$2.00	\$118.00	\$2.25	\$132.75	\$3.00	\$177.00
22	PAVEMENT MARKING - 4" YELLOW STRIPE	LF	50	\$2.51	\$125.50	\$2.00	\$100.00	\$2.25	\$112.50	\$3.00	\$150.00
23	PAVEMENT MARKING - 12" WHITE STRIPE	LF	707	\$3.34	\$2,361.38	\$2.00	\$1,414.00	\$3.00	\$2,121.00	\$6.00	\$4,242.00
Total Bid					\$2,382,759.08		\$2,249,382.40		\$2,248,764.35		\$2,498,678.00

ADD ALTERNATE A				Byrne and Jones		Gershenson Construction		NB West Contracting		Engineers Estimate	
Item No.	Description	Unit	Quantity	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
A1	REMOVE AND REPLACE CONCRETE SIDEWALK (5 IN. THICK)*	SF	11,070	\$14.05	\$155,533.50	\$10.00	\$110,700.00	\$6.00	\$66,420.00	\$10.00	\$110,700.00
Total Alternate Bid					\$155,533.50		\$110,700.00		\$66,420.00		\$110,700.00

ADD ALTERNATE B				Byrne and Jones		Gershenson Construction		NB West Contracting		Engineers Estimate	
Item No.	Description	Unit	Quantity	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
B1	TYPE "C" BITUMINOUS CONCRETE PAVEMENT	TON	410	\$67.34	\$27,609.40	\$69.00	\$28,290.00	\$74.00	\$30,340.00	\$80.00	\$32,800.00
B2	TACK-EMULSIFIED ASPHALT (SS-1H)	GAL	190	\$6.00	\$1,140.00	\$5.00	\$950.00	\$2.50	\$475.00	\$5.00	\$950.00
B3	ASPHALT PAVEMENT MILLING (VARIABLE DEPTH CROWN CORRECTION)	SY	3,690	\$2.94	\$10,848.60	\$2.55	\$9,409.50	\$2.10	\$7,749.00	\$4.00	\$14,760.00
B4	REMOVE AND REPLACE CONCRETE SIDEWALK (5 IN. THICK)*	SF	25	\$31.77	\$794.25	\$9.00	\$225.00	\$9.00	\$225.00	\$20.00	\$500.00
B5	PAVEMENT MARKING - 24" WHITE STRIPE	LF	24	\$11.11	\$266.64	\$25.00	\$600.00	\$10.00	\$240.00	\$10.00	\$240.00
Total Alternate Bid					\$40,658.89		\$39,474.50		\$39,029.00		\$49,250.00

ADD ALTERNATE C				Byrne and Jones		Gershenson Construction		NB West Contracting		Engineers Estimate	
Item No.	Description	Unit	Quantity	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
C1	PAVEMENT SEALER - WYDOWN FOREST	SY	15,046	\$0.95	\$14,293.70	\$0.82	\$12,337.72	\$0.85	\$12,789.10	\$0.82	\$12,337.72
C2	PAVEMENT SEALER - HILLCREST	SY	28,622	\$0.95	\$27,190.90	\$0.82	\$23,470.04	\$0.85	\$24,328.70	\$0.82	\$23,470.04
C3	PAVEMENT SEALER - MOORLANDS	SY	62,361	\$0.95	\$59,242.95	\$0.82	\$51,136.02	\$0.85	\$53,006.85	\$0.82	\$51,136.02
Total Alternate Bid					\$100,727.55		\$86,943.78		\$90,124.65		\$86,943.78

* Award of contract will be based on the base bid.

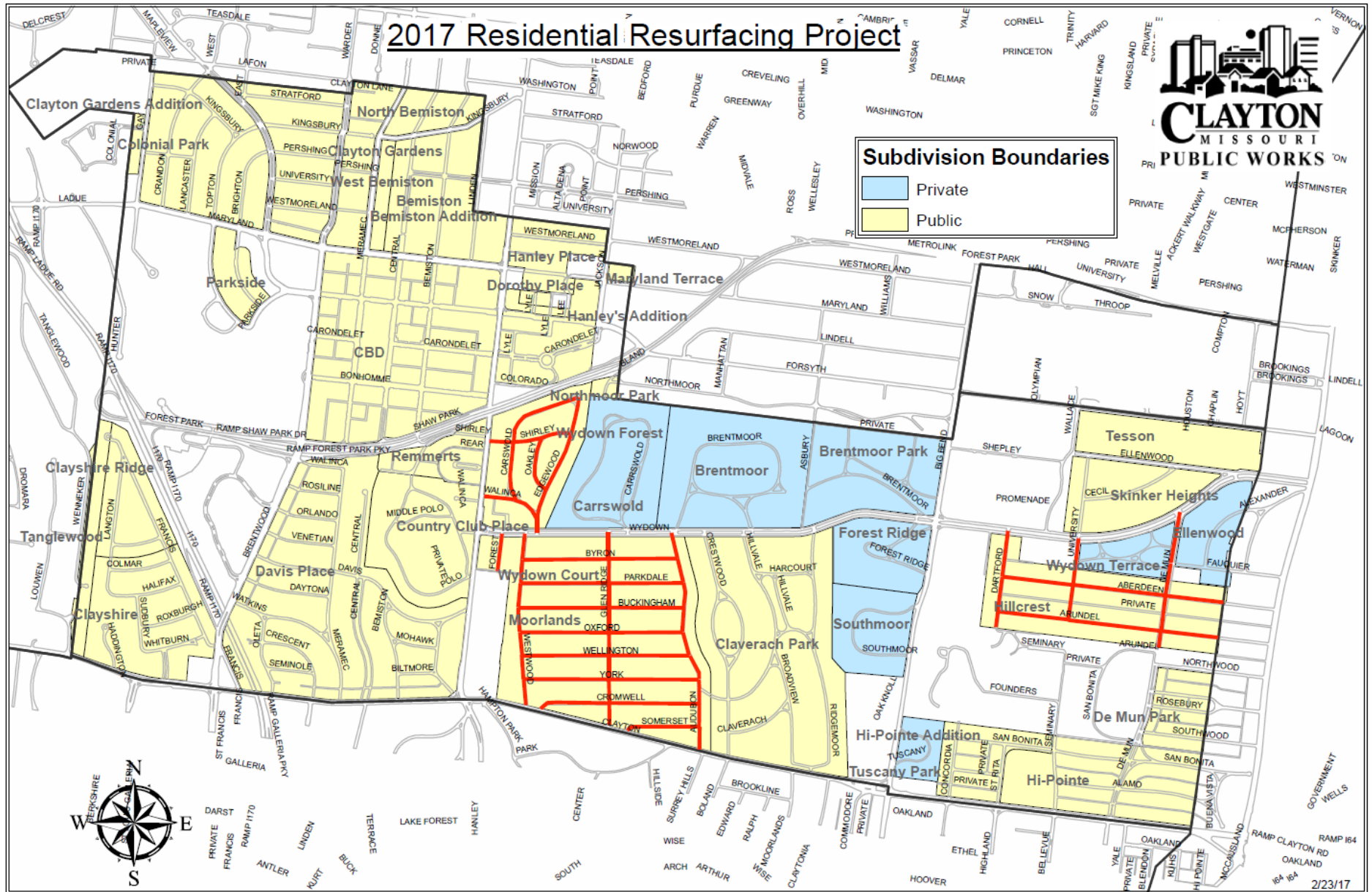
Base Bid Plus Alternate					\$2,679,679.02		\$2,486,500.68		\$2,444,338.00		\$2,745,571.78
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2017 Residential Resurfacing Project



Subdivision Boundaries

- Private
- Public



BILL NO. 6608

ORDINANCE NO. ____

AN ORDINANCE APPROVING A CONTRACT WITH N.B.WEST CONTRACTING COMPANY FOR THE FISCAL YEAR 2017 RESURFACING PROJECT

WHEREAS, the City desires to provide a new asphalt surface and upgraded curb ramps in the Hillcrest, Wydown Forest, and Moorlands neighborhoods within the City; and

WHEREAS, upon request and advertisement for bids, N.B. West Contracting Company was found to be the lowest, responsive, responsible bidder for the FY17 Resurfacing Project;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI AS FOLLOWS:

Section 1. The City Manager of the City of Clayton, Missouri is hereby authorized to execute on behalf of the City a contract with N.B. West Contracting Company in an amount not to exceed Two Million, Four Hundred and Five Thousand, Three Hundred and Nine Dollars and Zero Cents (\$2,405,309.00) in substantially the form attached hereto as Exhibit A and incorporated herein by reference, and the City Clerk is authorized and directed to attest such signature and to attach the official seal of the City of Clayton to said Contract.

Section 2. The City Manager or his designated representative is authorized to execute Change Orders in an amount not in excess of Two Hundred and Fifty Thousand Dollars (\$250,000.00).

Section 3. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.

Passed this 4th day of April, 2017.

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN

FROM: CRAIG S. OWENS, CITY MANAGER
JANET WATSON, DIRECTOR, FINANCE & ADMINISTRATION

DATE: APRIL 4, 2017

SUBJECT: ORDINANCE – AN AMENDMENT TO CHAPTER 605 TO REAFFIRM THE PROHIBITION AGAINST SHORT-TERM RENTAL OF RESIDENTIAL DWELLINGS

Missouri law specifies that accommodations operated for hire as lodging for transient guests (persons occupying lodgings for less than thirty days) is the business of hotels, motels and other commercial lodging establishments (Sec. 315.005, RSMo.) and provides appropriate regulations and standards to ensure public health and safety in relation to such businesses.

In order to protect the peaceful enjoyment of property, property values and public health, safety and welfare Clayton zoning regulations currently prohibit the short-term rental of all or a portion of residential dwellings in the City of Clayton.

The Board of Aldermen finds and determines that short-term rental of residential dwellings is inimical to the stability, shared commitment and sense of community that give Clayton its exceptional quality, and that such rentals conflict with the neighborhood environment that makes both our single family and multi-family areas special, welcoming and desirable; and

The Board of Aldermen wishes to amend the City's Code of Ordinances to make clear that short-term rental of residential property is not permitted in Clayton

STAFF RECOMMENDATION: To approve the amendment as proposed.

BILL NO. 6609

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 605 OF THE CLAYTON CITY CODE TO REAFFIRM THE PROHIBITION AGAINST SHORT-TERM RENTAL OF RESIDENTIAL DWELLINGS

WHEREAS, Missouri law specifies that accommodations operated for hire as lodging for transient guests (persons occupying lodgings for less than thirty days) is the business of hotels, motels and other commercial lodging establishments (Sec. 315.005, RSMo.) and provides appropriate regulations and standards to ensure public health and safety in relation to such businesses; and

WHEREAS, in order to protect the peaceful enjoyment of property, property values and public health, safety and welfare Clayton zoning regulations currently prohibit the short-term rental of all or a portion of residential dwellings in the City of Clayton; and

WHEREAS, the Board of Aldermen finds and determines that short-term rental of residential dwellings is inimical to the stability, shared commitment and sense of community that give Clayton its exceptional quality, and that such rentals conflict with the neighborhood environment that makes both our single family and multi-family areas special, welcoming and desirable; and

WHEREAS, the Board of Aldermen wishes to amend the City's Code of Ordinances to make clear that short-term rental of residential property is not permitted in Clayton;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

SECTION 1: Article II of Chapter 605 of the Code of Ordinances of the City of Clayton, Missouri, is hereby amended by the addition of one new Section, initially to be designated as Section 605.235, to read as follows:

Chapter 605. Business and Occupational Licenses and Regulations

Article II. Specific Provisions For Certain Businesses

Section 605.235. Short-Term Rental of Residential Property Prohibited

- A. As used in this Section "short-term rental" means letting or offering for let of all or a portion of a dwelling unit (as defined in Section 405.390 of this Code of Ordinances) to one or more guests for a period of thirty (30) days or less.

- B. Short-term rental of residential dwelling units located in the City of Clayton is prohibited.

Section Two. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section Three. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section Four. This Ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen.

Passed by the Board of Aldermen this 4th day of April, 2017.

Mayor

Attest:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG S. OWENS, CITY MANAGER (CSO)
JANET K. WATSON, DIRECTOR OF FINANCE AND ADMINISTRATION
DATE: APRIL 4, 2017
RE: A RESOLUTION APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENTS
PLAN FOR INCLUSION IN THE FY 2018 PROPOSED BUDGET
DOCUMENT

At the March 17, 2017, discussion session, staff presented the Board of Aldermen with the recommendations for the funded projects in the five-year Capital Improvements Plan (fiscal years 2018 – 2022). After much discussion regarding specific projects, the Board added the DeMun Sidewalk project to the funded list during that meeting.

This Capital Improvements Plan, once approved, will be incorporated into the proposed City budget document and will be a part of the public hearing process prior to budget approval.

STAFF RECOMMENDATION: To approve the attached resolution approving the five-year Capital Improvement Plan funded project list as revised, for inclusion in the FY 2018 proposed City budget.

RESOLUTION NO. 17-04

**RESOLUTION TO APPROVE THE FIVE-YEAR CAPITAL IMPROVEMENTS PLAN TO
BE INCLUDED IN THE FY 2018 PROPOSED BUDGET**

WHEREAS, the City maintains a Capital Improvements Program that provides for the funding of City infrastructure, facilities and amenities; and

WHEREAS, each year City staff recommends projects to be included in the Capital Improvements Plan by using the criteria outlined in the Capital Improvements Plan Ranking System; and

WHEREAS, the Board of Aldermen was presented with detailed information on the list of projects recommended for funding in the five-year Capital Improvements Plan at the March 17, 2017, Board of Aldermen discussion session; and

WHEREAS, the Board of Aldermen revised the funded list by adding one project; and

WHEREAS, the Board of Aldermen desires to include the Capital Improvements Plan in the FY 2018 proposed budget document; and

WHEREAS, a public hearing will be held on the proposed budget document, including the Capital Improvements Plan, prior to approval of the FY 2018 budget as required by law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Clayton approves the list of funded projects in the five-year Capital Improvements Plan as revised during the March 17, 2017, Board of Aldermen discussion session and as attached hereto as Exhibit A and incorporated herein by this reference, and further directs the City Manager to include this plan in the FY 2018 proposed budget document, for which a public hearing will be held as required by law.

Passed by the Board of Aldermen this 4th day of April, 2017.

MAYOR

ATTEST:

CITY CLERK



Funded Projects

Project Name	CIP Score / Status	Total Project Costs							Net Cost to City
		Prior Years	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	Total	
1 Brentwood Boulevard Resurfacing	Active	\$155,839	\$1,535,000	-	-	-	-	\$1,690,839	-
2 Community Development Block Grant Sidewalks	Active	22,500	22,500	22,500	22,500	22,500	22,500	135,000	-
3 Maryland Avenue Resurfacing	Active	75,000	100,000	1,150,652				1,325,652	-
4 Shaw Park Fields #5 & #6	Active	206,800	320,000	-	-	-	-	526,800	106,800
5 N Central Parking Lot Purchase	Contract	-	900,000	-	-	-	-	900,000	900,000
6 #2 Oak Knoll Park Roof	Contract	-	-	-	-	600,000	-	600,000	600,000
7 Year Round Multi-Use Facility (Ice Rink)	Bonds	500,000	2,200,000	4,300,000	-	-	-	7,000,000	500,000
8 Center of Clayton Renovations	Bonds	-	-	1,500,000	1,500,000	-	-	3,000,000	-
9 DeMun Park Playground Replacement	50% Funded	-	300,000	-	-	-	-	300,000	150,000
10 Century Garden	100% Funded	-	-	200,000	-	-	-	200,000	-
11 Central Business District Street Resurfacing	70	-	150,000	25,000	1,910,000	700,000	-	2,785,000	1,352,140
12 Microsurfacing of Claverach/Wydown	70	-	-	-	60,000	587,592	-	647,592	349,132
13 Center of Clayton Parking Lot Expansion	68	-	600,000	-	-	-	-	600,000	300,000
14 ADA Transition Plan Implementation	67	-	100,000	100,000	100,000	100,000	100,000	500,000	500,000
15 Microsurfacing of Davis Place/Hunter/S. Gay/Shaw Park Drive	66	-	40,000	393,403	-	-	-	433,403	433,403
16 Shaw Park Lighting System Upgrades	53	-	-	-	-	450,000	350,000	800,000	380,000
17 Brentwood Building - Roof & Gutter Repairs	48	-	671,000	-	-	-	-	671,000	671,000
18 Demun Sidewalks	45	-	4,000	32,000	-	-	-	36,000	36,000
19 Public Space Cameras - System Design	42	-	50,000	-	-	-	-	50,000	50,000
20 Brentwood Building Build Out and Occupancy	31	390,000	2,800,000	-	-	-	-	3,190,000	390,000
21 City Hall - Tenant/Fire Dept Renovation	29	-	76,500	885,000	-	-	-	961,500	-
Total		\$1,350,139	\$9,869,000	\$8,608,555	\$3,592,500	\$2,460,092	\$472,500	\$26,352,786	\$6,718,475

This list of capital projects includes new projects budgeted in FY 2018 through FY 2022. It does not include projects that were near completion in FY 2017 and may have remaining expenditures in FY 2018 and beyond.

Projects are included in the funded plan, separate from the scored projects, when the project has significant external funding, and the percentage of funded project cost is noted in the schedule in the Status column on these projects.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN

FROM: CRAIG S. OWENS, CITY MANAGER
SUSAN M. ISTENES, AICP, DIRECTOR, PLANNING & DEV. SERVICES

DATE: APRIL 4, 2017

SUBJECT: RESOLUTION - CORRECT CLERICAL ERRORS IN ORDINANCES TO ACCURATELY REFLECT THE INTENT AND ACTION OF THE BOARD OF ALDERMEN

On January 10, 2017 the Clayton Board of Aldermen considered and approved Bills 6594 and 6595 (Ordinance Nos. 6463 and 6464) which contained the following scrivener's errors:

Section 1 (C)(c)(i) of Bill 6594, Ordinance 6463, erroneously stated that it required that Subdistrict 1 access to Forsyth Boulevard be limited to right in and right out only;

And

Section 1(C)(2)(k) of Bill 6595, Ordinance 6464, erroneously stated that it required that South Lyle Avenue at Forsyth Boulevard be constructed to have four [rather than three] lanes.

The specific revisions are as follows:

3. South Lyle Avenue will not be relocated. It will remain in its current location between new Subdistrict 1 and Subdistricts 2A and C) with the following changes:

A. It will be widened to accommodate two northbound lanes to provide separate left and right turn lanes and one southbound lane with parallel parking.

* * *

4. To allow left turns onto Forsyth from Subdistrict 1 and Subdistrict 2A Forsyth parking garage entrances as well as from South Lyle Avenue.

5. Align Subdistrict 1 garage entrance with signaled Forsyth intersection at North Lyle Avenue. Align Subdistrict 2A garage entrance with signaled Forsyth Boulevard intersection with Lee Avenue.

STAFF RECOMMENDATION: To approve the attached resolution as proposed.

RESOLUTION NO. 17-05

A RESOLUTION OF THE CITY OF CLAYTON, MISSOURI, AUTHORIZING AND DIRECTING THE EXECUTION OF CORRECTED ORDINANCES TO ACCURATELY REFLECT THE INTENT AND ACTION OF THE BOARD OF ALDERMEN WITH RESPECT THERETO

WHEREAS, on January 10, 2017, the Clayton Board of Aldermen culminated its consideration of certain land use applications and received extensive documentary and testimonial evidence prior to consideration of Bills 6594 and 6595; and

WHEREAS, among the presentations and representations made to the Board of Aldermen prior to any action by the Board with respect to the Bills in question were the following specific descriptions of what the proposed legislation was intended to accomplish, to wit:

The specific revisions are as follows:

* * *

3. South Lyle Avenue will not be relocated. It will remain in its current location between new Subdistrict 1 and Subdistricts 2A and C) with the following changes:

- A. It will be widened to accommodate two northbound lanes to provide separate left and right turn lanes and one southbound lane with parallel parking.

* * *

4. To allow left turns onto Forsyth from Subdistrict 1 and Subdistrict 2A Forsyth parking garage entrances as well as from South Lyle Avenue.

5. Align Subdistrict 1 garage entrance with signaled Forsyth intersection at North Lyle Avenue. Align Subdistrict 2A garage entrance with signaled Forsyth Boulevard intersection with Lee Avenue.

and

WHEREAS, contrary to the statements and representations aforesaid and contrary to the understanding and intent of the Board of Aldermen when acting upon the Bills the versions of the Bills executed by the responsible city officials after action by the Board of Aldermen contained the following scrivener's errors, to wit:

Section 1 (C)(c)(i) of Bill 6594, Ordinance 6463, erroneously stated that it required that Subdistrict 1 access to Forsyth Boulevard be limited to right in and right out only;

And

Section 1(C)(2)(k) of Bill 6595, Ordinance 6464, erroneously stated that it required that South Lyle Avenue at Forsyth Boulevard be constructed to have four [rather than three] lanes;

and

WHEREAS, correcting these scrivener's errors is within the authority of the Board of Aldermen and will serve to conform the final approved ordinances to the understanding intent of the Board at the time of passage;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

SECTION 1. The corrected versions of Ordinance NO. 6463 and Ordinance NO. 6464, attached hereto and incorporated herein by this reference, are hereby declared *nunc pro tunc* to be the true and accurate versions of the Ordinances enacted by the Board of Aldermen on January 10, 2017.

SECTION 2. The Mayor and City Clerk are hereby authorized and directed to execute and attest *nunc pro tunc* to the corrected versions of Ordinance NO. 6463 and Ordinance NO. 6464 as being the true and accurate versions of the legislation approved by the Board of Aldermen on January 10, 2017.

Passed by the Board of Aldermen this 4th day of April, 2017.

Mayor

Attest:

City Clerk

AN ORDINANCE REPEALING A PREVIOUSLY ADOPTED SPECIAL DEVELOPMENT PLAN AND APPROVING AN AMENDED SPECIAL DEVELOPMENT DISTRICT PLAN FOR THE CENTENE CLAYTON CAMPUS SPECIAL DEVELOPMENT DISTRICT, SUBJECT TO THE REQUIREMENTS SET FORTH IN THE CODE OF ORDINANCES OF THE CITY OF CLAYTON, MISSOURI, AND CONDITIONS SPECIFIED HEREIN; APPROVING AND AUTHORIZING OTHER ACTIONS RELATED THERETO, AND REPEALING ALL CONFLICTING ORDINANCES

WHEREAS, on September 23, 2008, the Board of Aldermen approved a rezoning and Special Development Plan via Ordinance Nos. 6033 and 6034 for certain property generally addressed as 7700-7720 Forsyth Boulevard and 18 South Hanley Road, known as Centene Plaza and more fully described in Ordinance Nos. 6033 and 6034 which was subsequently repealed and readopted via Ordinance Nos. 6050, 6095 and 6123; and,

WHEREAS, a Subdistrict Development Plan for (Phase I) of Centene Plaza was approved by the Board of Aldermen on September 23, 2008, via Ordinance No. 6035 and subsequently amended, repealed and readopted via Ordinance Nos. 6051, 6082, 6124, and approved improvements have been constructed; and

WHEREAS, properties in the current Special Development District established by Ordinance No. 6033 and subject to the current Special Development Plan for Centene Plaza and its Phase 1 Subdistrict Development Plan are appended to this Special Development District by Ordinance No. 6444 of September 27, 2016, and are a part of the Amended Special Development Plan approved hereby; and,

WHEREAS, Robert Clark, CEO of Clayco Inc. (the "Developer") submitted an application for a Special Development District and Plan dated June 16, 2016, for use of the properties known and numbered as 7454, 7510, 7518, 7520, 7528, 7600, 7606, 7620, 7630, 7632, 7636, 7642, 7700, 7718 and 7720 Forsyth Boulevard; 12, 14, 18, 20 and a portion of 106 South Hanley Road; 10 South Lyle Avenue; 101 and 105 Carondelet Plaza; 7711 and 7733 Carondelet Avenue and adjacent proposed vacated rights-of-way (the "Site"), for the development of a five-phase mixed-use development (the "Project"); and

WHEREAS, the Special Development District and Plan dated June 16, 2016, were adopted by the City of Clayton Board of Aldermen on September 27, 2016 via Ordinance Nos. 6444 (the district) and 6445 (the plan); and

WHEREAS, on November 21, 2016, the Developer submitted an application for an amendment to the Special Development District and Special Development Plan heretofore approved on September 27, 2016, as aforesaid; and

WHEREAS, a Special Development District is a distinct category of zoning and in approving any special development plan, the Board of Aldermen has the authority to change, alter, modify or waive any provisions of the zoning regulations set forth in Chapter 405 of the Code in order to encourage the efficient use of land and resources, promote greater efficiency in public and utility

services, and encourage innovation in the planning and building of all types of development; and

WHEREAS, this Board has received the favorable report of the City Plan Commission with respect to the modification of this Special Development Plan; and

WHEREAS, all interested parties have been given an opportunity to be heard before this Board with regard to the Special Development District, the Special Development Plan and the amendment contemplated hereby, notice first having been given and published as required by law; and

WHEREAS, upon due consideration, this Board of Aldermen hereby finds and determines that the repeal of the Special Development Plan approved on September 27, 2016, via Ordinance No. 6445 and the adoption of an amended Special Development Plan would be in the best interest of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1. Findings and Development Plan Approval

A. The Development Plan dated December 14, 2016 available in the Office of the City Clerk as prepared by HOK, Inc., architects on behalf of Robert Clark, CEO of Clayco Inc. (the "Developer") for the Project is hereby approved as the Special Development Plan ("Special Development Plan") for the Centene Clayton Campus Special Development District heretofore approved and amended concurrently herewith, this Board having found and determined that the Project, as set forth in the aforesaid Special Development Plan furthers the following objectives as specified in Article IX "Special Development District" of Chapter 405 of the Clayton Code of Ordinances:

1. Allow for a complex, large scale project to be phased in a manner advantageous to the City, developer and adjacent neighborhoods;
2. Development of a large tract of land which is vacant or underutilized in a coordinated manner;
3. Creation of a more desirable environment than would be possible through strict application of other City land use regulations designed for smaller projects;
4. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities;
5. Combination and coordination of architectural styles, building forms and building relationships covering different phases within a single development project;
6. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features and the prevention of soil erosion;
7. Use of design, landscape or architectural features to create a pleasing environment;
8. Inclusion of special features;
9. Elimination of deteriorated structures or incompatible uses through redevelopment or rehabilitation; and,
10. Facilitate implementation of the recommendations of the Business Districts Master Plan, where applicable.

B. The Board of Aldermen finds that the Special Development Plan provides the following public benefits as referenced in Section 405.1190 "Public Benefit" of Article IX "Special Development District," of Chapter 405 of the Clayton Code of Ordinances:

1. Use of large tracts of land in a manner which provides a cohesive phased development and minimizes construction impact.
2. Extraordinary landscaping and greenspace provisions.
3. Garage entryways by virtue of their location, materials and design that blend with the architecture of the surrounding neighborhood.
4. Architectural distinction and significance that would make the development noteworthy.
5. Extensive use of high quality building materials that would add significant value to the property and benefit adjacent properties.
6. Provision of new public infrastructure including, but not limited to, streets, curbs, sidewalks, sanitary sewers, storm water sewers, lighting and public parking.
7. Leadership in Energy and Environmental Design (LEED) certification from the U.S. Green Building Council at a minimum "Certified" level including applicable regional priorities or an equivalent nationally recognized third party verification organization as determined by the Plan Commission.
8. Inclusion of below grade public parking facility located underneath the proposed development.
9. Inclusion of street level landscape garden, plaza or park available for public use;
10. Public art.

C. That the subject properties be developed in accordance with the approved Special Development Plan and plans dated December 14, 2016, and the following conditions:

- a. Pursuant to page G003 (Building Use Plan) of the Special Development Plan, for those areas of buildings designated as commercial/retail, ground floor spaces shall be so constructed and oriented as to be specially suited for use by commercial occupants primarily serving on-site customers so as to support an active pedestrian environment in the area. Specific design elements, allowed uses and building area allocations for commercial/retail or lobby use, may be specified by the Board of Aldermen in approving individual Subdistrict Development Plans.
- b. That the applicant and property owner(s) commit to implementing parking demand management strategies that decrease parking demand and increase transit ridership; and, provide one or more mechanisms to insure that such strategies will be implemented, adapted, revised and maintained over time and changes of tenancy.
- c. That the following traffic improvements be implemented. The design and phasing of each improvement will be considered in detail at the time of Subdistrict plan review.

~~i. Limit the Subdistrict 1 garage access to Forsyth Boulevard to right-in/right-out only.~~

~~ii.i.~~ Signalize access to the Subdistrict 2 garage on Forsyth Boulevard. Provide a westbound left-turn lane on Forsyth Boulevard to serve the garage. Provide two lanes exiting the garage (one northbound left-turn lane and one shared left/through/right-turn lane).

~~iii.ii.~~ Signalize access for the intersection of Forsyth Boulevard with the Subdistrict 3 service drive which runs parallel to Forest Park Parkway.

- ~~iv-iii.~~ Add a second access to the Subdistrict 3 Garage (via Carondelet Plaza) to help distribute the heavy exiting left-turn traffic and provide acceptable operating conditions. The driveway should provide, at a minimum, a 3-lane cross-section at the intersection with Carondelet Plaza.
- ~~v-iv.~~ Re-stripe and/or widen Forsyth Boulevard to accommodate two eastbound through lanes from the service drive in Subdistrict 3 to east of the Forest Park Parkway Off-Ramp/Bland Avenue.
- ~~vi-v.~~ Widen the Forest Park Parkway Off-Ramp/Bland Avenue to provide dual northbound left-turn lanes and a separate northbound right-turn lane at Forsyth Boulevard.
- ~~vii-vi.~~ Construct a southbound right-turn lane on Hanley Road at Carondelet Avenue in conjunction with Subdistrict 4.
- ~~viii-vii.~~ Implement signal retiming and optimization program upon completion of development and roadway improvements.

- d. The applicant shall consider installing accommodations for wheelchair access in conjunction with the proposed stairway at the midblock pedestrian connection between the building known as "The Crescent" to the west, and the proposed parking garage to the east.

D. The Special Development Plan and the Phase I Subdistrict Development Plan previously approved pursuant to Ordinance Nos. 6123 and 6124 for the area designated as "Subdistrict A" on Exhibit M1 January 10, 2017, as approved concurrently herewith are hereby ratified and remain in force and shall constitute the Phase A Subdistrict Development Plan, which is hereby approved.

Section 2. Implementation

The City Manager is hereby authorized and directed to take all such actions as may be necessary and proper (or to cause the same to be taken) in order to implement the approval of the Special Development Plan authorized by this Ordinance.

Section 3. Repeal of Prior and Conflicting Ordinances

All Ordinances in conflict with the terms and purposes of this Ordinance are hereby repealed.

Section 4. Effective Date

This Ordinance shall be in full force and effect after its passage and adoption by the Board of Aldermen.

Adopted this 10th day of January, 2017

Mayor

ATTEST:

City Clerk

AN ORDINANCE APPROVING A SUBDISTRICT 1 SUBDISTRICT DEVELOPMENT PLAN FOR THE CENTENE CLAYTON CAMPUS SPECIAL DEVELOPMENT DISTRICT; AND OTHER ACTIONS RELATED THERETO

WHEREAS, on September 27, 2016, the Board of Aldermen adopted Ordinance Nos. 6444 and 6445, approving a Special Development District (SDD) and Special Development Plan ("SDD Development Plan") for the area generally bounded by South Bemiston Avenue on the west, Forest Park Parkway/University City municipal boundary on the east, Forsyth Boulevard on the North and Carondelet Plaza/Carondelet Avenue on the south as depicted on "Page C100, of the Special Development District and Plan", incorporated herein by reference; and

WHEREAS, the property to which this Ordinance applies is identified in the survey dated December 14, 2016, page C100 of the Special Development District Plan and identified as Subdistrict 1 therein; and

WHEREAS, on December 14, 2016, the City of Clayton's Planning Department received an application from Robert Clark, CEO, of Clayco, Inc. on behalf of property owners of the subject property, for the development of a 30-story (plus 4 stories below grade), 1,387,644-gross-square-foot building including 625,735 gross square feet of office, 63,223 gross square feet of retail, and a 1,757-space parking structure; and

WHEREAS, as part of the review of an SDD Project, each Phase must be approved separately as a Subdistrict Development Plan; and

WHEREAS, this Board has received the favorable report of the City Plan Commission with respect to the approval of the Subdistrict Development Plan for Subdistrict 1; and

WHEREAS, all interested parties have been given an opportunity to be heard before this Board with regard to the Project; and

WHEREAS, upon due consideration, this Board of Aldermen has determined that the approval of the plan would be in the best interest of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1: Findings and Development Plan Approval

- A. The Subdistrict 1 Subdistrict Development Plan for the Centene Clayton Campus Special Development District development, dated December 14, 2016, as prepared by Clayco, Inc. on behalf of Hanley-Forsyth, LLC, and on file in the City Clerk's Office ("Subdistrict Development Plan"), as submitted by Clayco, Inc., is hereby approved, this Board having found and determined that the project, as set forth in the aforesaid SDD Development Plan, furthers the following objectives as specified in Article IX "Special

Development District”, Section 405.1250 “Criteria for Approval-Subdistrict Development Plan”:

1. The proposed development is consistent with the SDD Development Plan for this site;
 2. Streets or other means of access to the proposed phase of development meet City of Clayton standards and are suitable and adequate to carry anticipated traffic;
 3. The internal circulation system of the proposed phase encourages safe movement for vehicles and pedestrians and is in compliance with the SDD Development Plan;
 4. Existing or proposed utility services are adequate for the proposed Subdistrict and is in conformance with the SDD Development Plan;
 5. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts;
 6. Architecture and building materials are consistent with the design of the SDD Development Plan, are consistent with other phases, and are compatible with the adjacent neighborhood;
 7. Landscaping is appropriate with the scale of the development and consistent with any applicable City Codes, Ordinances and Standards;
 8. Topography of the property has been preserved in all relevant respects; and any topographic changes are such that they are not expected to adversely impact the flow of drainage on adjacent properties;
 9. A landscape plan depicting all new plantings for the phase has been submitted as part of the plan and approved; screening the development from adjacent properties is neither feasible nor desirable under the SDD Development Plan;
 10. Tree preservation measures comply with all applicable City codes and standards;
 11. The materials, design and uses of the Subdistrict Development Plan are compatible with the neighborhood surrounding the proposed development phase and the City as a whole; and,
 12. The proposed development phase complies with all other applicable codes and ordinances.
- B. The Board of Aldermen finds that the Subdistrict Development Plan provides the following public benefits as referenced in Article IX “Special Development District”, Section 405.1190 “Public Benefit”:
1. Architectural distinction and significance that make the development noteworthy;
 2. Extensive use of high quality building materials that add significant value to the property and benefit adjacent properties;
 3. Provision of new public infrastructure including, but not limited to streets, curbs, sidewalks, sanitary sewers, storm water sewers, lighting, and
 4. Inclusion of street level landscape garden, plaza or park available for public use.
- C. The approval of the Subdistrict Development Plan by the Board of Aldermen is hereby subject to the following conditions:
1. That the property identified as Subdistrict 1 be developed in accordance with the approved plans dated December 14, 2016, as amended pursuant to the conditions listed below and that the project is subject to certain development standards including, but not limited to those identified on Page C100 of the Special Development Subdistrict 1 plans dated December 14, 2016.
 2. The applicant shall comply with the following conditions:

1. Landscaping

- a. L104/105 -The corner of Hanley Road and Forsyth Boulevard is dominated by pavement. Integrate planters and amenities into the on-structure plaza. The proposed planters are stiff, geometric and less approachable than previous designs.
- b. L113 - Section 4 – The planting beds on Carondelet are too narrow to contribute to landscape buffering. Re-evaluate the width of the drop-off and enhance the landscape approach at this frontage.
- c. L114 – Detail 12 – a stone fountain wall per the examples would add pedestrian appeal in lieu of the proposed precast wall. Consider revising.
- d. Provide additional information about the green roof system(s) and typical sections.
- e. Define the irrigation scope and methods.
- f. The footings for the bollards extend into the street tree soil volume reducing the area contained by the tree grate. Reduce the footing size, location, etc. with an alternative structural design or other response to provide the additional soil volume of the soil trench required in the City of Clayton standard streetscape details. Provide section details.
- g. At the Carondelet drop-off area, provide a section through the wall and streetscape to clarify the grade change and planting bed. It appears that there is a very narrow planting bed that is illustrated larger than it actually is when hatched on L102. An attractive landscape environment should be provided between the public realm and the drop off.
- h. Coordinate the street tree locations on Hanley with the pedestrian bridge. The bridge overlaps column line R which will not provide much room for a tree canopy in the side to side direction. In addition, the bottom of the bridge is 23' from the sidewalk elevation. Further coordination of the bridge and trees is needed as the tree type is selected.
- i. Plantings at Carondelet drop-off and Forsyth Plaza are on-structure. Provide a typical detail for how trees and planting beds will be designed to provide adequate soil volume and drainage.
- j. Provide plantings in the reconfigured median within the Carondelet right of way. Show this area on the drawings.
- k. Provide planter pots at both plazas.
- l. All ramp details and spot grades for directional curb ramps per PROWAG shall be submitted to both St. Louis County and the City of Clayton for review and approval.

2. Public Works

- a. Final streetscape design shall be approved by the City of Clayton Public Works Department.
- b. Electrical and irrigation systems shall be approved by the Public Works Department.
- c. General layout of street trees and lights shall be approved by the Public Works Department.
- d. Expansion and tooled joint layouts shall be approved by the Public Works Department.
- e. Provide a plan for temporary utility relocation.
- f. Identify all service vehicle plans (deliveries, trash, etc.).

- g. Remove all material from the streetscape easement that does not conform to city streetscape standards (i.e. Brick pavers).
- h. Crosswalks shall be installed to city standards at the following intersections: Hanley and Carondelet; Hanley and Forsyth; Forsyth and Lyle; Forsyth and Lee; Forsyth and Carondelet Plaza; Forsyth and Sub-District 3 Service Drive; and Carondelet Plaza at the Circle.
- i. During construction the contractor shall provide a covered pedestrian walkway on Carondelet Plaza. At all times there shall be pedestrian access from north Forsyth sidewalk to the Carondelet circle.
- j. The developer shall install City approved wayfinding signs are part of the City of Clayton streetscape.
- k. South Lyle Avenue at Forsyth Boulevard shall be constructed to have ~~four~~three lanes: one southbound lane, two northbound left-turn lanes, and one shared through/right-turn lane

Section 2: Implementation

The City Manager is hereby authorized and directed to take all such actions as may be necessary and proper (or to cause the same to be taken) in order to implement the approval of the Subdistrict Plan authorized by this Ordinance.

Section 3: Effective Date

This Ordinance shall be in full force and effect after its passage and adoption by the Board of Aldermen.

Adopted this 10th day of January, 2017

Mayor

ATTEST:

City Clerk